



Ben G. Almond • Vice President, Regulatory Affairs • phone 202.419.3020 • fax 202.419.3047

July 29, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Controlling the Assault of Non-Solicited Pornography and Marketing Act
of 2003 (CAN-SPAM) CG Docket No. 04-53
EX PARTE

Dear Ms. Dortch:

On July 27, 2004, on behalf of Cingular Wireless ("Cingular"), Gary Hight and Ben Almond discussed the above referenced subject via conference call with Richard Smith, Chief-Policy; Jay Keithley, Deputy Chief-Policy; Erica McMahon, Associate Chief-Telemarketing Contact; Leon Jackler, Senior Legal Advisor to K. Dane Snowden-Bureau Chief; Gene Fullano, Senior Attorney Advisor and Ruth Yodaiken, Attorney Advisor, all of the Consumer & Governmental Affairs Bureau.

The purpose of the meeting was to emphasize the importance for wireless carriers, including Cingular, to be able to communicate freely with their customers on matters relating directly with carrier's services. This includes all three types of messages identified in the CAN-SPAM Act: transactional, informational, and promotional messages.

If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ben Almond / JB'.

Ben G. Almond
Vice President-Regulatory Affairs

Cc: Richard Smith
Jay Keithley
Erica McMahon
Leon Jackler
Gene Fullano
Ruth Yodaiken

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